

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**VAN JENKINS,**

**Plaintiff,**

**CIVIL ACTION NO. 07-CV-13860-DT**

**vs.**

**DISTRICT JUDGE ARTHUR J. TARNOW**

**ANN ARBOR POLICE  
DEPARTMENT, et al.,**

**MAGISTRATE JUDGE MONA K. MAJZOUN**

**Defendants.**

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**OPINION AND ORDER DENYING PLAINTIFF'S MOTION FOR  
RECONSIDERATION**

This matter comes before the Court on Plaintiff's Motion for Reconsideration of this Court's earlier Order denying in part and granting in part his Motion to Compel Discovery. (Docket no. 40). All pretrial matters have been referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A). (Docket no. 12). This matter is now ready for ruling.

The Order of which Plaintiff seeks reconsideration denied Plaintiff's attempt to obtain the disciplinary records of officers other than the officer that Plaintiff claims used excessive force upon him during Plaintiff's arrest. Plaintiff presents in the instant motion the same issues earlier ruled upon. The Court generally does not grant motions for reconsideration which present the same issues earlier ruled upon. E.D. Mich. LR 7.1(g)(3). In addition, Plaintiff has failed to carry his burden of showing "a palpable defect by which the court and the parties have been misled" and that correcting the defect will result in a different disposition of the case. (*Id.*). Accordingly, Plaintiff's Motion for Reconsideration will be denied.

**IT IS THEREFORE ORDERED** that Plaintiff's Motion for Reconsideration (docket no. 40) is **DENIED**.

**NOTICE TO THE PARTIES**

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: July 17, 2008

s/ Mona K. Majzoub  
MONA K. MAJZOUB  
UNITED STATES MAGISTRATE JUDGE

**PROOF OF SERVICE**

I hereby certify that a copy of this Opinion and Order was served upon Van Jenkins and Counsel of Record on this date.

Dated: July 17, 2008

s/ Lisa C. Bartlett  
Courtroom Deputy